IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14068 of 2004

Between:

Smt. B. Parvatamma, W/o. Srinivasa Reddy,
R/o. Chennampalli Village, B.K. Samudram Mandal, Anantapur District.

..... PETITIONER

AND

1 The Joint Collector, Anantapur.
2 The Revenue Divisional Officer, Anantapur.
3 The Mandal Revenue Officer, B.K. Samudram Mandal, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in not passing any orders on the stay petition filed along with the appeal on 3-8-2004 as illegal arbitrary and consequently stay the order of the 2nd respondent passed in Rc.No. D1/CS/870/2004 dated 30-7-2004 pending disposal of the appeal before the 1st respondent.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

THE HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.14068 OF 2004

ORDER:

The writ petitioner is aggrieved by the order of the Revenue Divisional Officer, Anantapur, dated 30.7.2004 whereunder the authorization of the petitioner to run the Fair Price Shop has been suspended pending enquiry into certain alleged irregularities. Against the said order, the petitioner has preferred an appeal before the Joint Collector, Anantapur along with an application for stay. The grievance of the petitioner is that the first respondent failed to consider the appeal and no orders have been passed even on the application for stay so far and in the meanwhile the respondents are taking steps to implement the impugned order of suspension.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the statutory appeal is pending before the first respondent, I am of the view that it would be appropriate to permit the petitioner to distribute the commodities till the disposal of the statutory appeal.

Accordingly the writ petition is disposed of with a direction to the Joint Collector, Anantapur to dispose of the appeal pending on his file, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this

order. Till the Appeal is disposed of, the impugned order of suspension, dated 30.7.2004 shall not be given effect to.

Writ petition is accordingly disposed of. No costs.

10.8.2004.

mdaa.

Copy to:

1 The Joint Collector, Anantapur.
2 The Revenue Divisional Officer, Anantapur.
3 The Mandal Revenue Officer, B.K. Samudram Mandal, Anantapur District.

4. Two C.Cs. to G.P.for Civil Supplies, High Court of A.P., High Court Building, Hyderabad (OUT).

5. Two C.D.Copies.